REMARKS

Independent Claims 1 and 11 are amended in a further effort to define patentable subject matter over the applied art. Dependent Claims 8 and 17 are amended to maintain consistent terminology relative to their respective parent claims. Claims 1, 2, 5-12, and 15-19 remain, with no claim previously allowed.

All claims stand rejected as unpatentable over *Schneck* (US 5,933,498) in view of *Alexander* (US 6,134,593), *Slivka* (US 6,049,671), and further in view of applicants' alleged own admission (AOA). The applicants respectfully traverse this rejection.

Claims 1 and 11 are amended to define the at least one run-time file as needed to execute the software product. Claims 1 and 11 are also amended to add "storing... a hardware identifier identifying the local machine on the local machine...", and to recite that the hardware identifier is associated only with the local machine. The applicants respectfully submit that Claims 1 et al., are not taught or suggested by the applied art.

Considering first the applicants' alleged admission on page 2 of the specification regarding a run-time file, that page does not mention run-time files. Page 2 does discuss prior-art attempts to limit unauthorized copy of software, for example, by preventing execution of a software product if an electronic license is not present. Pages 3 and 4, discussing the present invention, point out that the set-up program will transfer the required run-time files and the license file to the user's hard drive, if the user first enters a product key associated with the media on which the software product is made available. That passage also discloses that the set-up program will then generate an installer identification (IID) based on a characteristic of the software media, and will check the generated IID against an IID stored in the license file on the same media. If there is a

match, the media license file and a *hardware* identifier (HWID) identifying the particular computer on which the software's being installed, are stored in a hardware signature file, namely, on that particular computer.

Fig. 5, at step 508, shows the transfer of all run-time files from the software product media to a hard drive on the local machine. The specification (page 16, lines 3-7), defines those run-time files as "those files needed to execute the software product on the computer associated with the hard drive."

Accordingly, the applicants respectfully submit that their only "disclosure" of installing at least one run-time file needed to execute the software product occurs in the context of their disclosed embodiments, and in combination with other elements comprising their invention. That disclosure thus should not be used to reject claims directed to the invention.

Turning now to the herein-added limitation of "storing... a hardware identifier identifying the local machine", that limitation does not appear in the applied references. (The specification discusses the nature and use of the hardware identifier at page 4, lines 8-16 and page 7, lines 15-25.) *Schneck* discusses at length various steps for controlling the use of software, including distributing executable software in encrypted form, providing a hardware-based access mechanism (column 15, lines 51-63) and various permission checks that may be required to perform functions of the software (Fig. 16; column 30, lines 18-22). However, *Schneck* is silent on the further limitation added to Claim 1, namely, storing a hardware identifier identifying the local machine, so that the hardware identifier is associated only with the location machine, in addition to the stored license file associated only with the software product installed on that local machine.

Subsequent access to execute the installed software product on the local machine thus requires both the stored license file associated with the installed software product and the stored hardware identifier associated only with that local machine. If either the software or the hardware identifier are not associated with the respective software product and the local machine, the software product cannot be executed on that machine. This arrangement, as defined in Claims 1 and 11, provides an additional level of security against illicit copying or use of software.

Alexander also fails to disclose or suggest the use of a hardware identifier identifying the local machine on which the software is installed. The "vendor identifier 430" discussed in that reference identifies the vendor that is selling or licensing a software application (column 8, lines 21-27), not the local machine on which the software product is being installed for execution, as required in the method of Claims 1 and 11.

Slivka likewise fails to teach or suggest a method including installation of a hardware identifier identifying the particular machine on which the software product and its license file is to be stored for subsequent access and execution of the software product.

Accordingly, the applicants respectfully submit that Claim 1 and the claims depending thereon are patentable over the applied art.

Claim 11 is amended to include the above-discussed limitation regarding storing and using a hardware identifier identifying the local machine on which the software product is installed. Claim 11 also further identifies the at least one run-time file as needed to execute the software product. For the reasons discussed above, the applicants submit that Claim 11 and the claims depending therefrom are non-obvious over the applied art.

The foregoing is submitted as a complete response to the Office action identified above. The applicants respectfully submit that all remaining claims are patentable and solicit a notice to that effect.

Respectfully submitted,

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Date: September 20, 2005

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